

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

| | | |
|---------------------------|---|------------------------|
| UNITED STATES OF AMERICA, | : | |
| Plaintiff, | : | |
| vs. | : | Case No. 2:23-CR-00014 |
| | : | |
| NALAH T. JACKSON | : | JUDGE WATSON |
| Defendant. | : | |

**UNOPPOSED MOTION TO CONTINUE TRIAL AND MOTION
DEADLINES**

COMES NOW, defense counsel for Nalah T. Jackson, pursuant to 18 U.S.C. § 3161(h)(7)(A) and B(IV) and moves this Court to continue trial currently scheduled for October 10, 2023. Specifically, the parties seek to set a trial date at the end of November or first week in December, as a place holder, while the parties work on a final resolution. Additionally, defense moves to extend all other dates and deadlines listed in the scheduling Order for a length of time consistent with the new trial date. The grounds for this motion are set forth in the attached Memorandum. Undersigned counsel submits that the requested extension would serve the interests of justice and that the time would be excludable pursuant to 18 U.S.C. §3161(h)(7)(A) and (B)(IV). Assistant United States Attorneys Emily Czerniejewski and Noah Litton do not oppose the requested continuance.

Respectfully submitted,

JOSEPH MEDICI
FEDERAL PUBLIC DEFENDER

/s/ Stacey MacDonald
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Assistant Federal Public Defender
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Attorney for Defendant
Nalah T. Jackson

MEMORANDUM IN SUPPORT OF MOTION

On January 19, 2023, the Grand Jury returned an Indictment against Ms. Jackson charging her with two counts of Kidnapping of a Minor pursuant to 18 U.S.C. § 1201(a)(1)&(g). Ms. Jackson entered a plea of not guilty on January 27, 2023. Trial is currently set for October 10, 2023.

Defense has received extensive discovery in this case. Discovery spans from Ohio to Indiana. Additionally, Defense has been engaged in an extensive mitigation investigation regarding Ms. Jackson's mental health. Counsel have gathered hundreds of pages of documents from a multitude of hospitals and treatment facilities in multiple states.

Defense has retained a forensic psychologist to conduct a forensic evaluation of Ms. Jackson as to her mental state at the time of the offense and whether any mental defenses may be available. In addition, this evaluation is a necessary part

of the mitigation package defense will be providing in negotiations to resolve the case short of a trial. This psychological evaluation is currently ongoing. Defense will receive the forensic report from the expert by November 10, 2023. Ms. Jackson is twenty-six years old with an extensive history of hospitalizations due to psychosis. These periods of psychosis include during and around the timeframe of the instant offense.

The government has conveyed a pretrial offer to Ms. Jackson. Defense counsel has relayed this offer to Ms. Jackson. Ms. Jackson is open to resolving the case pretrial but has not endorsed acceptance of the government's current offer. The parties anticipate once the forensic evaluation has been received by defense and provided to the Government, we can finalize negotiations and a plea offer.

Mr. Chaney is retiring on November 30, 2023. The parties are seeking a short continuance to a date at the end of November or beginning of December as a "placeholder" while the parties make final attempts to resolve the case pretrial and before Mr. Chaney's retirement. Should negotiations fail, the parties would provide the Court with an additional motion to continue and a realistic trial date. Defense would need to bring in new counsel to replace Mr. Chaney as well.

Defense counsel has spoken with Ms. Jackson about her right to a speedy trial. Ms. Jackson agrees with this motion to continue the trial and waives her right to a speedy trial.

Counsel submits that the ends of justice served by granting the continuance outweigh the interests of the public and the defendant in a speedy trial. 18 U.S.C. §

3161(7)(A). The failure to grant the requested continuance would deny counsel for the defendant reasonable time necessary for effective preparation taking into account the exercise of due diligence. 18 U.S.C. § 3161 (h)(7)(B)(iv). AUSAs Emily Czerniejewski and Noah Litton do not oppose the requested continuance.

WHEREFORE, for the reasons set forth above, Defense Counsel for Ms. Jackson respectfully requests this Court grant this motion to continue the trial and associated deadlines.

Respectfully submitted,

JOSEPH MEDICI
FEDERAL PUBLIC DEFENDER

/s/ Stacey MacDonald
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Attorney for Defendant
Nalah T. Jackson

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ Stacey MacDonald
Stacey MacDonald (WA 35394)
Assistant Federal Public Defender